Application for "Other Business"
Cobb County, Georgia

OB-053-2015

(Cobb County Zoning Division – 770-528-2035) **BOC Hearing Date Requested:** 12-15-15

Applicant: Cuellar Auto Repair. **Phone #:** (678) 925-8669
(applicant's name printed)

Address: 1700 Atlanta Rd. SE **E-Mail:** kagiliga@icloud.com

Address:
(representative's name, printed)

Phone #: 678-925-8669 **E-Mail:** kagiliga@icloud.com.
(representative's signature)

Signed, sealed and delivered in presence of:

FERNANDO REBOLLO NOTARY PUBLIC MY COMMISSION EXPIRES APRIL 17, 2018 FULTON COUNTY, GEORGIA

Notary Public **My commission expires:** 04-17-2018

Titleholder(s): Gabriel Cueller **Phone #:** (678) 925-8669
(property owner's name printed)

Address: 1700 Atlanta Rd SE **E-Mail:** kagiliga@icloud.com

(Property owner's signature)

Signed, sealed and delivered in presence of:

FERNANDO REBOLLO NOTARY PUBLIC MY COMMISSION EXPIRES APRIL 17, 2018 FULTON COUNTY, GEORGIA

Notary Public **My commission expires:** 04-17-2018

Commission District: 3 **Zoning Case:** Z-65 of 2014

Date of Zoning Decision: 11-18-14 **Original Date of Hearing:** 11-18-14

Location: 1700 Atlanta Rd
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 370 **District(s):** 17th

State specifically the need or reason(s) for Other Business: Letter Attached.
(Exhibit A)

(List or attach additional information if needed)

OB-053-2015
Exhibit A

October 15, 2015.

From: Cuellar Auto Repair.

To: Cobb County Board of Commissioners.

Re-zoning # Z-65.

To whom may concern:

We would like to be under the consideration and modified the previous stipulations about our Rezoning.

We are agreed about an eight foot landscaping enhancement strip along Atlanta Rd, but would like to request to get your approval to do the landscaping without digging, because of a pipe line from Atlanta Gas (on red in the plan), to do this we plan to raise the bed by 1 foot.

Secondly, we would like to plant six (6) Magnolia grandiflora – Southern Magnolia trees, with a minimum size of 5' at the moment of the installation for the buffer along the adjacent residential property to the fence. The other part has cement on it and planting c - trees will be difficult to continue with the buffer to the end of the property line. Also we have a letter from the owner of the private property, (Admirals Quarters Apartments) stating that we are good with our proposal.

Thirdly, on the point of the Transportation recommendation, we would like to keep the 3 driveways. There are 2 different business at the same building (Cuellar Auto Repair and Atlanta Transmission Savers) and the other entrance will be used for the U-Haul trucks.

If you have any question feel free to contact me Gabriel at (678) 925-8669, kagiliga@icloud.com or my agent Fernando (770) 265-1552; freagencyllc@gmail.com.

Sincerely,

Gabriel Cuellar

OB-053-2015
Letter from adjacent residential property.

Solheim Management Two LLC
Investment Management & Consulting

117 Grove Way Suite #325
Roswell, Georgia 30075

October 7, 2015

To Whom It May Concern:

We are the owners of the **Admirals Quarters Apartments** at 1725 Darwin Road, Smyrna, GA 30080. This letter is to address the "Installation of a 20' landscape buffer along entire property line adjacent to the residential property behind the parcel to mitigate site and sound "for Cuellar Auto Repair (Z65). We are the residential property from this quote and at this time have no problem with the existing concrete pad that would be in part of this buffer. If you have any questions or concerns about this issue please feel free to call me at 770-354-0256.

Greg Solheim
Managing Partner

Solheim Management Two
117 Grove Way Suite
Roswell, GA 30075

Min. Bk. 74 Petition No. 2-65
Doc. Type Site plan
Meeting Date 11/18/14

BEARINGS ARE BASED ON A SURVEY FOR TERRY SECHREST & FLOYD JONES BY KENNETH L. HUTT, GEORGIA REGISTERED LAND SURVEYOR NO. 2104, DATED JUNE 18, 1999

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 12,558 FEET AND AN ANGULAR ERROR OF 2 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE.
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN MORE THAN 175,221 FEET.
THE TYPE OF EQUIPMENT USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF SAID MAP OR PLAT IS AN ELECTRONIC TOTAL STATION.

GENERAL NOTES

PROPERTY ADDRESS 1700 ATLANTA ROAD, SUITE A

ZONING DISTRICT GC

SUBJECT PROPERTY DEED REFERENCE D.B. 14939 PG. 1846

HATCHED AREA REPRESENTS AN OVERLAP OF D.B. 9281 PG. 13 AND D.B. 14939 PG. 1846

TRACT TWO OVERLAPS D.B. 15109 PG. 5901

INTENDED USE IS FOR A UHAUL BUSINESS

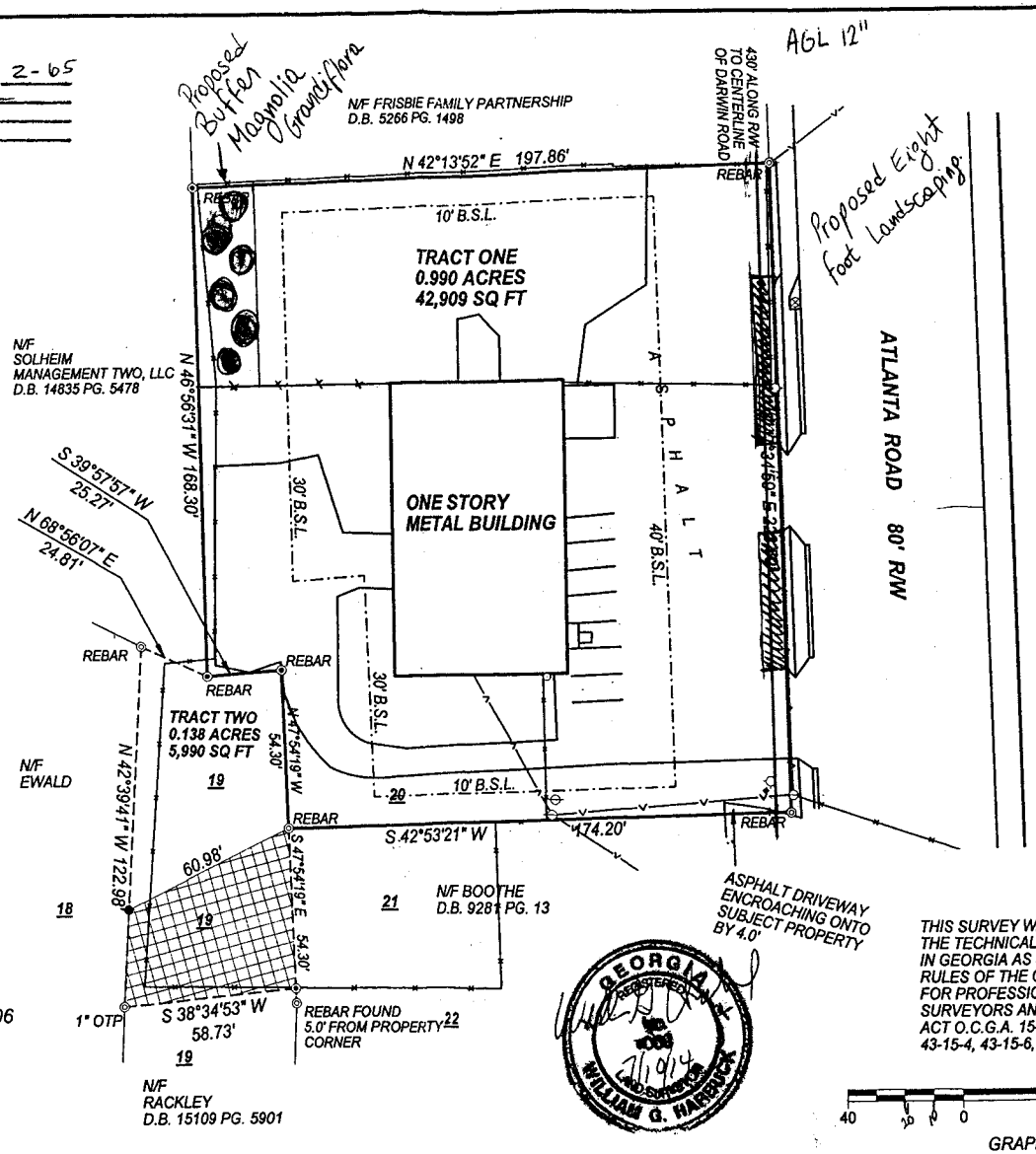
BOUNDARY SURVEY FOR:

CUELLAR AUTO REPAIR

PART LAND LOT 370, 17TH LAND DISTRICT, 2ND SECTION OF COBB COUNTY

HARBUCK LAND SURVEYORS, INC.
LAND SURVEYOR FIRM NO. 959
WILLIAM G. HARBUCK
GEORGIA REGISTERED LAND SURVEYOR NO. 3006
5463 STONEYBROOK DRIVE, SE
MABLETON, GA. 30126
TELEPHONE 770-253-5585
HARBUCKLANDSURVEYORS@GMAIL.COM

SCALE 1" = 40'
07.02.2014
FIELD WORK 07.10.2014



LEGEND

POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
◎	IRON PIN FOUND
⊙	IRON PIN SET
Ø	UTILILITY POLE
—v—	OVERHEAD POWER LINE
BOC	BACK OF CURB

JUL 11 2014

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATIONS FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67. AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

40 20 0 40 80 120
GRAPHIC SCALE IN FEET

OB-053-2015
Proposed Landscape Plan

CONTINUED, HELD, OR WITHDRAWN (CONT.)

SLUP-14 **MUNICIPAL COMMUNICATIONS, LLC** (River Heights Exchange, LLC, owner) requesting a **Special Land Use Permit** for the purpose of Wireless Communications Tower and Antennas in Land Lots 1085 and 1086 of the 17th District. Located on the southeast side of River Heights Crossing, northeast of Riverlook Parkway (3702 River Heights Crossing). ***(Continued by Staff until the December 2, 2014 Planning Commission hearing; therefore, was not considered at this hearing)***

SLUP-19 **WEST COBB SPORTS COMPLEX** (Due to individual parcels, a complete list of titleholders is available in the Zoning Office) requesting a **Special Land Use Permit** for the purpose of a Non-Profit Community Center in Land Lots 427 and 462 of the 19th District. Located at the northeast intersection of Macland Road and Villa Rica Road, and on the west side of Wilkins Circle. ***(Held by the Planning Commission until their December 2, 2014 hearing; therefore was not considered at this hearing)***

SLUP-21 **BARRY WOOD (B.W.W., Inc., owner)** requesting a Special Land Use Permit for the purpose of Crushing Concrete in Land Lot 777 of the 18th District. Located on the east side of White Road, south of Factory Shoals Road. ***(Continued by Staff until the December 16, 2014 Board of Commissioners Zoning hearing; therefore, will not be considered at this hearing)***

CONSENT AGENDA

MOTION: Motion by Goreham, second by Birrell to **approve/delete** the following cases on the Consent Agenda, *as revised:*

Z-65 **CUELLAR AUTO REPAIR** (Walter Cuellar and Gabriel Cuellar, owners) requesting Rezoning from **GC** and **R-20** to **LI** for the purpose of Auto Repair, Courier Business and U-Haul Business in Land Lot 370 of the 17th District. Located on the southwest side of Atlanta Road, south of Darwin Road (1700 Atlanta Road). ***(Previously continued by Staff)***

To **delete** rezoning to the TS zoning subject to:

- **Site plan received by the Zoning Division July 11, 2014, with District Commissioner approving minor modifications (attached and made a part of these minutes)**
- **Applicant to obtain applicable business licenses**
- **No outdoor storage**
- **All signs to be brought into compliance with current Sign Ordinance**

CONSENT AGENDA (CONT.)

Z-65 CUELLAR AUTO REPAIR (CONT.)

- **Lighting plan to be reviewed by Zoning Division, with final approval by the District Commissioner**
- **Exterior color and architecture of existing and future improvements to be reviewed by Zoning Division, with final approval by the District Commissioner**
- **Eight foot landscaping enhancement strip to be installed along Atlanta Road; Applicant to submit a landscape plan within 30 days of this decisions; also to be approved by the County Landscape Architect with final approval by the District Commissioner**
- **Installation of a 20' landscape buffer along entire property line adjacent to residential property behind the parcel to mitigate site and sound; with approval of the County Landscape Architect**
- **All landscaping and buffers to be installed within 120 days of this decision**
- **All repairs to be done inside the building**
- **Fire Department comments and recommendations, *not otherwise in conflict***
- **Water and Sewer Division comments and recommendations, *not otherwise in conflict***
- **Stormwater Management Division comments and recommendations, *not otherwise in conflict***
- **Cobb DOT comments and recommendations, *not otherwise in conflict***

Z-79 **JACK COOPER HOLDINGS CORP.** (owner) requesting Rezoning from **R-30** to LRO for the purpose of Combining Existing Portion of Residential having Encroachment from LRO in Land Lots 275 and 296 of the 20th District. Located on the south side of Kennesaw Due West Road, east of Acworth Due West Road (660 Kennesaw Due West Road).

To approve of rezoning to the LRO zoning subject to:

- **Approval is for 20 foot strip of property along the western property line, to be zoned LRO, with the balance of the property to remain zoned R-30**
- **Cobb DOT comments and recommendations, *with the first and second recommendations being effective upon future development of the property***
- **Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedicaiton of system improvements to mitigate traffic concerns**

BEARINGS ARE BASED ON A SURVEY FOR TERRY SECHREST & FLOYD JONES BY KENNETH L. HUTT, GEORGIA REGISTERED LAND SURVEYOR NO. 2104, DATED JUNE 18, 1999

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 12,558 FEET AND AN ANGULAR ERROR OF 2 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE.
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN MORE THAN 175,221 FEET.
THE TYPE OF EQUIPMENT USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF SAID MAP OR PLAT IS AN ELECTRONIC TOTAL STATION.

GENERAL NOTES

PROPERTY ADDRESS 1700 ATLANTA ROAD, SUITE A

ZONING DISTRICT GC

SUBJECT PROPERTY DEED REFERENCE D.B. 14939 PG. 1846

HATCHED AREA REPRESENTS AN OVERLAP OF D.B. 9281 PG. 13 AND D.B. 14939 PG. 1846

TRACT TWO OVERLAPS D.B. 15109 PG. 5901

INTENDED USE IS FOR A UHAUL BUSINESS

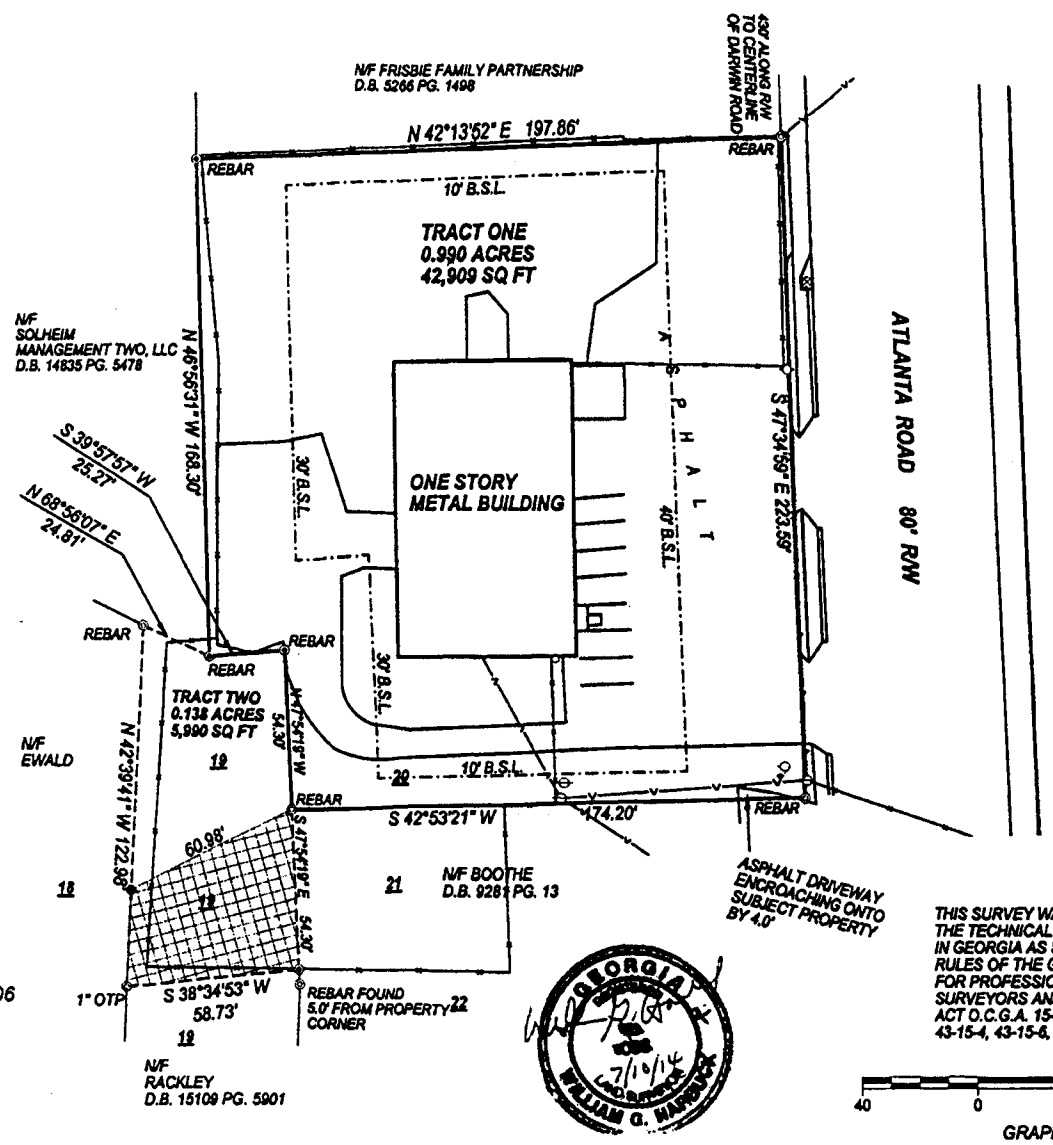
BOUNDARY SURVEY FOR:

CUELLAR AUTO REPAIR

PART LAND LOT 370,17TH LAND DISTRICT, 2ND SECTION OF COBB COUNTY

HARBUCK LAND SURVEYORS, INC.
LAND SURVEYOR FIRM NO. 959
WILLIAM G. HARBUCK
GEORGIA REGISTERED LAND SURVEYOR NO. 3006
5463 STONEYBROOK DRIVE, SE
MABLETON, GA. 30126
TELEPHONE 770-253-5585
HARBUCKLANDSURVEYORS@GMAIL.COM

SCALE 1" = 40'
07.02.2014
FIELD WORK 07.10.2014



LEGEND

POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
◎	IRON PIN FOUND
⊙	IRON PIN SET
Ø	UTILILITY POLE
——	OVERHEAD POWER LINE
BOC	BACK OF CURB

JUL 11 2014

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATIONS FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

40 0 40 80 120
GRAPHIC SCALE IN FEET

GEORGIA WILLIAM G. HARBUCK 7/10/14

Min. Bk. 74 Petition No. 2-65
Doc. Type Site Plan
Meeting Date 11/18/14